

### **REMARKS**

Claims 1, 3-34, 36-48 are currently pending in the present application.

Independent Claims: 1, 11 and 28.

Dependent Claims: 2-10, 12-27, 29-34 and 36-48.

Please cancel Claims 2 and 35.

### **35 U.S.C. §102 Rejection of Claims**

The Examiner has rejected Claims 11-17, 26, 28-32, 35, 38-41 and 48 under 35 U.S.C. § 102(b) as being anticipated by Hideki (J.P. 09-189972 A). Applicants have amended the rejected independent claims rendering this ground of rejection moot.

The Examiner is reminded that in order to render a proper § 102(b) anticipation rejection, each and every element of the Applicants' claim must be shown in a single reference. "The identical invention must be shown in as complete detail as is contained in the . . . claim."

*Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989);  
See also MPEP 2131.

Hideki, as best understood by Applicants, teaches a digital copier providing a scanner which does not use a clam-shell design and therefore eliminates the need for dampeners to support the lid from falls. The construction allows sliding of the scanner bed to an offset position to allow scanning or copying of thicker items, for example books.

The Examiner alleges, that Hideki discloses each element of the presently claimed invention of Claims 11-17, 26, 28-32, 35, 38-41 and 48. With regard to Claim 11, Applicants have amended the claim to require: (1) a cartridge changing station and (2) a slidable scanner bed

movable from a first position wherein the cartridge changing station is hidden by the slidable scanner bed to a second position wherein the cartridge changing station is accessible by a user. The Examiner's cited art fails to provide the currently amended claim elements. Applicants have amended independent Claim 11 with the above limitations and believe the independent Claim 11 as well as the claims depending therefrom are currently in condition for allowance.

Regarding Claim 12, Applicants assert that since Claim 11 is believed to be in condition for allowance, likewise, Claim 12 is also believed to be in condition for allowance.

Regarding Claim 13, the Examiner alleges in his rejection of Claim 12, that the rails (7) of Hideki correspond to Applicants' claimed at least one rail. In rejecting Claim 13, the Examiner alleges that the base housing (1) of Hideki receives the at least one rail (7). However, the Applicants assert that while the Examiner's alleged shaft 6 may, arguably, be said to receive the rail (7), the shaft (6) is not "disposed within" the base housing, as currently required by the claim. Likewise, the at least rail is not disposed within the base housing, as currently claimed.

Regarding Claim 14, Applicants' amended claim recites that the at least one track and the at least one rail each have at least one "complimentary" angled surface inhibiting vertical disengagement. The Examiner is invited to review application Figures 6 and 7 to view the exemplary complimentary angled surfaces (77a) and (48a) of the track. The Hideki reference fails to teach complimentary angled on a track and rail. Instead, Hideki appears to teach a shaft (6) disposed within a rail (7), rather than complimentary angled surfaces. Applicants respectfully request this ground of rejection withdrawn.

Regarding Claim 15, Applicants question the Examiner's rejection since the Examiner has utilized Figure 2 of Hideki to allege to opposite constructions. Specifically, the Examiner states

that the rails (7) depend from the scanner bed, in rejecting Claim 13. Then in Claim 15, the opposite construction is recited wherein the rails are claimed to extend from the housing and the track is located in the scanner bed. However, the Examiner cites the same Figure 2 of Hideki, which fails to show such. Additionally, Claim 15 requires at least one track **within a lower surface** of the scanner bed, however such construction is not shown. Finally, Claim 15 depends from Claim 11, which is believed to be allowable, and Applicants respectfully request this ground of rejection withdrawn.

Regarding Claim 16, Applicants again question whether such rejection is appropriate. Applicants claim that the sliding mechanism comprises at least one guide shaft extending **within** the base housing. (Emphasis added). The shaft (6) is extending outwardly from the base (2) and not **within** the base housing as required by the claim limitation. Finally, Claim 16 depends from Claim 11, which is believed to be allowable. Applicant respectfully requests this ground of rejection withdrawn as well.

Regarding Claim 17, as previously indicated, Applicants believe that the rejection of Claim 16 is allowable over the cited art of record. Accordingly, Applicants further assert that the rejection of Claim 17 is also allowable as a depending claim. Further, in rejecting Claim 17, the Examiner alleges that Figure 1 of Hideki depicts a bearing surface which receives the guide shaft extending from an outer surface of the base housing. Applicants assert that the claimed scanner bed having the bearing surface which receives the guide shaft is not shown. The scanner bed lower surface engages rollers 5a5c for motion. However, that lower surface of the scanner bed does not receive the guide shaft, as required by the claim. Further, the claimed the guide shaft extending within the housing is also not shown in Figure 1 of Hideki since shaft (6) is not within

the housing but instead extends from the housing. Applicants respectfully requests this ground of rejection withdrawn.

Regarding Claim 26, the Examiner alleges that Hideki teaches a biasing member disposed between the scanner bed and the base housing. Applicants fail to find any reference to a biasing member in Hideki. In fact, in rejecting Claims 43-47, the Examiner admits "Hideki does not explicitly disclose a mechanical method in which the scanner bed is moved...." The elements recited by the Examiner teach structures which only allow the upper portion of the device to move relative to the lower portion, but fail to teach any biasing member. Accordingly, Applicants respectfully request this ground of rejection withdrawn.

Regarding Claim 28, Applicants have amended the claim to recite that a biasing mechanism is disposed between the base housing and scanner bed for biasing the scanner bed from one of a first position and a second position to the other of the first position and said second position upon release of the scanner bed by the interface device. As previously indicated, the Hideki device fails to show a biasing member, instead only showing structure enabling movement of an upper portion relative to a lower portion. Further, as previously mentioned, the Examiner admits such structure is not show in his rejection of Claims 43-47. Thus, the claimed element is believed to be missing from the prior art reference. In addition, the cited reference fails to show an interface device which locks the scanner bed. Therefore, Applicants believe that multiple elements of the currently amended claim are missing from the cited prior art and respectfully request these grounds of rejection be withdrawn.

Regarding Claims 29-31, Applicants believe that these claims are allowable for the reasons assert for Claim 28 since Claims 29-31 depends therefrom. Applicants respectfully request that

the Examiner withdraw these grounds of rejection.

Regarding Claim 32, the Examiner alleges that Figure 2 of Hideki teaches a different embodiment of Applicants invention, yet uses the same Figure 2 as the rejection for a previous embodiment with oppositely claimed structure. Nonetheless, Applicants still maintain that the Hideki reference fails to show a biasing mechanism for biasing the scanner bed from one of a first position and second position to the other of a first position and second position. Additionally, as previously presented, the Hideki reference fails to show an interface device which locks the scanner bed, and Applicants request this ground of rejection be withdrawn.

Regarding Claim 35, Applicants have canceled Claim 35 rendering this ground of rejection moot.

Regarding Claim 38, Applicants assert that the configuration of elements cited by the Examiner is seemingly incorrect. The Examiner cites posts that support the roller shafts (6). This appears to be incorrect as the shafts 6 appear to be supported directly by connection to an outer surface of the base portion (2) rather than any alleged intermediary “bar”. This portion of the Examiner’s rejection is not clearly understood since the specification does not refer to any such bar element. Further, it is respectfully noted to the Examiner that the posts are claimed to be “**therein**”, with respect to the base housing and further that the guide shafts positioned between the posts. The Examiner is referred to Applicants’ Figure 10. Neither the posts nor the shafts are located “in” the base housing as required by the claim. Therefore, the claimed elements are not shown by the cited prior art reference. Additionally, Claim 38 is believed to be allowable over the art of record, for the reasons cited in discussing Claim 28.

Regarding Claim 39, the claim depends from Claim 38 and is believed to be allowed over

the cited art for the reasons cited previously. The bearing surfaces are claimed to engage the guide shafts which are located within the base housing. Therefore, the bearing surface should be within the base housing as well. Such is not indicated in any figure of Hideki. Further, the Applicants again assert that the Examiner is utilizing one drawing to depict different embodiments of the claimed invention, when those embodiments differ in such a way that the one drawing cannot properly show two different embodiments. Accordingly, Applicants assert the claimed invention is not indicated by the drawings. Finally, Claim 39 depends from Claim 28, and is believed to be in condition for allowance. For these reasons, Applicants request these grounds of rejection be withdrawn.

Regarding Claims 40 and 41, these claims depend from Claim 28 and are believed to be in condition for allowance for the reasons cited above.

Regarding Claim 48, since the embodiment of Claim 28 is now taught to be biased, Applicants have changed the dependency of Claim 48 to now depend from Claim 11 which does not require a biasing member. And, since Claim 11 is believed to be in condition for allowance, Applicants respectfully request this ground of rejection withdrawn.

Applicant respectfully requests that the rejections of Claims 11-17, 26, 28-32, 35, 38-41 and 48 be removed since the Hideki reference fails to teach all of the required claim elements of the currently presented claims.

### **35 U.S.C. §103 Rejection of Claims**

The Examiner has rejected Claims 1-10, 22-23, 27, 33-34, 36-37 and 43-47 under U.S.C. § 103(a) as being unpatentable over Hideki in view of Goshima *et al.* (hereinafter “Goshima”; U.S. 4192608). Applicants respectfully traverse this ground of rejection.

Hideki teaches away from the Examiner's suggested modifications. Applicants teach a scanner lid for use with the flat bed scanner. However, Hideki teaches away from use of such scanner lid, as opposed to Claim 28 of the currently pending claims. The Hideki reference teaches at paragraph [0002] that figures 4 and 5 are prior art devices and that the function of the device is to eliminate the need for dampening structures for clam-shell type lids by providing a copier wherein the scanner portion slides out of the way for scanning/copying of thick materials, such as books. Thus the Examiner's proposed modification to Hideki in order to render Applicants invention is improper since such modification results in a device which is opposite to the teachings of the Hideki reference. For this reasoning, the Examiner is respectfully requested to remove all of these rejections relying on Hideki and the primary reference.

Applicants have amended Claim 1 to recite that a biasing mechanism is interposed between the scanner bed and the base housing. The Examiner cites the Hideki reference for teaching a biasing mechanism however, Applicants respectfully disagree. The Examiner cites a plurality of elements which allow the scanner bed (1) to move relative to the housing base (2). However, Applicants assert that the cited Hideki reference fails to teach or suggest any biasing members. The Examiner admits such in his rejection of Claims 43-47. Instead the elements cited only provide for movement of the upper part (1) to move relative to a lower part (2). As a result of the amendment of Claim 1, Applicants have canceled Claim 2.

Claim 3 depends from Claim 1 and therefore is believed to be in condition for allowance.

Regarding Claim 4, the Examiner alleges that Hideki teaches a roller shaft (6) engaging rail (7) via rollers (5). However, this is not understood by Applicants since roller (5) do not engage the rail (7). The rollers (5) only engage the lower surface of the scanner bed as shown in

Figure 2a. Therefore, Applicants fail to understand the significance of the Examiner's comment and maintain that Hideki fails to show all of the claimed limitations of Claim 4.

Claim 5 requires the base housing having a cover with at least one rail extending from the cover. First, the Examiner has failed to indicate **a cover on the base housing** in the Hideki reference. Second, the Examiner states that the cover acts as physical support for the rails (7). However, the Examiner has repeatedly referred to the rails (7) as extending from the scanner bed portion (1), not the printer section (2) as currently alleged by the Examiner. Despite these inconsistencies, Applicants maintain the Hideki reference fails teach or suggest a base housing having a cover from which the at least one rail extends. Again, Figure 2 of the cited art depicts rails (7) depending from the scanner bed (1) not the base (2).

Claim 6 depends from Claim 5 and therefore is believed to be allowable for the reasons previously indicated as related to Claim 5. Moreover, Claim 6 requires that at least one track is located **in a lower surface** of the scanner bed. The Examiner has repeatedly referred to element (6) of Hideki, as the track. Figure 2 of Hideki shows the track (6) extending from a sidewall of the base (2). However, Claim 6 requires the track positioned in a lower surface of the scanner bed. Therefore, Applicants assert that the Examiner's alleged reference fails to meet the claim limitations of the pending claim.

Claim 7 depends from Claim 1 and therefore is asserted to be allowable for the reasons previously described with respect to Claim 1.

Claim 8 depends from Claim 7 and indirectly from Claim 1. Claim 1 is believed to be allowable for the reasons previously described and therefore Claim 8 is also believed to be in condition for allowance. In addition, the Examiner is directed to Figure 4 of Goshima which



depicts a liquid developer cartridge (generally around 69) at the bottom of the copier device. The Examiner is next directed to Figures 13, 14, and 19 which show a cartridge which is removed in horizontal fashion as indicated by the double headed arrow in Figure 14. These Figures and arrows in combination indicate that the liquid developer cartridge moves horizontally for removal which further indicates that the cartridge is removed through a side panel of the copier body rather than through a changing station within an upper portion of a base housing of the device. Further, Applicants assert that there is no teaching or suggestion that the alleged cover, located between lead lines 2 and 3, in Figure 1 is removable to provide a cartridge changing station or any such access below the scanner bed of the copier device. Thus although a scanner cover appears to move, there is no indication that a changing station is provided when a scanner bed is moved. It is also respectfully noted that Figures 1 and 2 are taught as prior art devices and do not correspond to the embodiments taught in Figures 13 and 14. Finally, the Examiner refers to Figure 15 as well, however Figure 15 is described as showing lift mechanism and slide portions of the developing device. The description of Figure 15 appears to better correspond to the Applicants assertions regarding the operation of the Goshima device, than those asserted by the Examiner in rejecting Claim 8. It appears under the Examiner's allegation that the cover would have to be removed for a cartridge change, if such is even possible. Also, damage to other components is more likely due to lifting the cartridge around such components. Accordingly, Applicants respectfully assert that the Examiner's rejection is improper and respectfully request this ground of rejection be withdrawn.

Claim 9 depends from Claim 1 and is believed to be allowable over Hideki for the reasons previously cited.

Claim 10 depends from Claim 1 and is believed to be allowable over Hideki for the reasons previously cited. In addition, Hideki teaches away from a clam-shell type scanner-base assembly eliminating the need for any shock absorbing or dampening parts. Therefore, although such handle is depicted, in Figures 4 and 5, the description at paragraph [0002] describes these as prior art embodiments and would not be necessary for Hideki's, a slidable scan assembly for scanning books and thick objects. Modification of Hideki for use with the clam-shell design of Applicants device would change the Hideki's intended use or function.

Claim 22 depends from Claim 11 and therefore is believed to be allowable, as amended, over Hideki for the reasons previously set forth, namely, Hideki fails to teach a cartridge changing station which is accessible by movement of a scanner bed. Moreover, the Examiner asserts that a cover is removed in Figure 15 implying that such is a top view. First, the Examiner cites Figures 1 and 2 in explaining his rejection, however, these are prior art devices and may not be related to Figure 15, which is also cited. Further, there is no indication that the Figure 15 is a top view with the cover removed. Instead, the Goshima cites a front view for Figure 15 at Col. 8, l. 63. Moreover, as shown in Figure 4, removal of the alleged cover would not provide access to the developer cartridge generally around (69) as depicted in Figure 4 due to the multitude of components between the developer and the cover area shown throughout various figures of the reference. Thus, the Examiner's allegation is seemingly incorrect. Additionally, the view does not provide a correlation between the cover that Examiner alleges and any changing station.

Claim 23 depends from Claim 22 and is also believed to be allowable. Claim 23 requires that the cover have a window. The window is taught in the application to allow access to the cartridge for changing thereof. Goshima fails to teach a cover with a window. The Examiner's

alleged cover is an opening in the base, not the cover cited. As previously cited, the cover referred to is a prior art device, not the embodiment taught throughout the remainder of the Goshima reference. Moreover, the window alleged may not be a window but a view of the bars 278, 279 with various elements positioned there above removed. Further, in Figure 15, the alleged cover is removed, as the Examiner acknowledged in his rejection of Claim 22. Such teaching is opposite to the idea provided by Applicants which allows easy access to a cartridge changing station by movement of the scanner bed, not the removal of a cover portion alleged by the Examiner. Nonetheless, the cover of Goshima fails to have a window as required by Claim 23.

Claim 27 requires a biasing mechanism, per Claim 23 and further requires a pocket wherein the biasing mechanism is a spring and the spring is disposed within the pocket. To the contrary, the Goshima reference indicates springs 613 however those springs are not disposed within a pocket as required by the claim limitation. To further this point, the springs 613 appear to be located at edges of base portion of the device. However, the pocket alleged by the Examiner appears to be located in the center of the cover and therefore the springs cannot be located in such alleged pocket. Additionally, the alleged "pocket" is only indicated in a prior art figure, and not with invention wherein springs 613 are taught.

The Examiner next states that it would have been obvious to move the springs 613 to the alleged pocket. However, the Examiner's alleged movement of the springs 613 would render the device inoperable. Moving the spring to a central location would disengage the connection taught between elements (602) and the base portion of the copier. This is a classic hindsight rejection wherein the Examiner has utilized the Applicants teachings to piece together elements of the prior

art. There is clearly a lack of motivation from the prior art to make the suggested change alleged by the Examiner, without the Applicants claimed invention. Finally, Applicants respectfully assert that the “pocket” alleged by the Examiner is not indicated as such and therefore may not be a pocket of any sort. Applicants respectfully requests the Examiner to provide further indication from the Goshima reference that the aperture indicated in Figure 1 is, in fact, a “pocket” as alleged, since there is no description of this prior art element. Applicants respectfully request this ground of rejection withdrawn.

Claim 33 requires a housing cover on the base housing, having a window revealing a cartridge station. The Examiner correlates Figures 1,2 and 15 in making this rejection. Applicants assert that these Figures are not related as alleged by the Examiner. As previously indicated, the Figures 1 and 2 are prior art embodiments. Figure 15 is one embodiment of the invention taught by Goshima. Therefore, the elements alleged by the Examiner are not all located within a single device as alleged by the Examiner, and as a result, the other allegations by the Examiner cannot stand. Additionally, since the Examiner may be alleging that the window is the rectangular shaped box in the cover portion show in Figure 1, Applicants would like to address such possibility. The Examiner states throughout the office action that the alleged Goshima cover, “covers the development portion from exposure.” Since the Examiner indicates that the development portion of Goshima must be covered from exposure, any window located in such cover would therefore be contrary to the teachings of Goshima as alleged by the Examiner. Applicants understand the term “exposure” to mean exposed to “light,” since Goshima is believed to be related to electrophotographic or laser printer. Accordingly, such rejection is improper as it would render the device inoperable or, at least, change the intended function of the Goshima

device alleged by the Examiner.

Finally, as previously mentioned, Hideki teaches away from the use of a pivoting scanner lid. However, Applicants have positively recited such element in Claim 28. As a result, Applicants respectfully assert that such amendment inhibits the use of Hideki in making a rejection of Claim 28 or any claims depending therefrom, since the Hideki reference must be considered for the whole of its teaching. See MPEP 2141; also see *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). For these reasons, Applicants request this ground of rejection be withdrawn.

Claim 34 requires a slide lock comprising a tab and a tapered catch, such that the slide lock retains scanner bed in a closed position. The Examiner alleges that column 30, rows 13-30 teach such limitations. Applicants have reviewed the cited portion of the Goshima reference, and assert that the alleged portions of the specification fail to teach a slide lock having a tab and a tapered catch. The Goshima reference does teach a means for locking the original carriage, however the teachings fail to define a tab and a tapered catch as required by the instant Claim. Instead, the Goshima reference apparently teaches a clutch spring brake which utilizes a brake cylinder secured to a drum shaft to lock the drum shaft against rotation, and therefore stopping the original carriage at its home position. This appears to be a radial type brake system as opposed to the slide lock which is taught by the Applicants. Accordingly, the Goshima reference fails to teach the structural limitations of Claim 34 and such Claim is believed to be allowable over the cited art of record.

Claim 36 requires a base housing having a pocket therein, and said biasing device comprises a biasing spring position in said pocket. The Examiner alleges that Goshima teaches a

pocket shown in Figure 1 between tracks 2 and 3. However, the Applicants fails to see any teaching in the Goshima reference that the rectangular element referred to by the Examiner is, in fact, a pocket. Further, the Applicants note that Examiner states that Goshima fails to teach a spring in pocket design but merely states it would have been obvious to implement. The Examiner is again making a hindsight rejection by relying on the Applicants disclosure for the motivation for such combination, since the Examiner fails to provide any reasoning for such combination in the prior art. This is improper under Federal Circuit case law and the MPEP. Additionally, the Examiner has repeatedly stated throughout his Office Action that the cover element protects the development portion from exposure. If such development portion must be covered from exposure, then Applicants question how the rectangular element may be considered a window, as previously cited, or a pocket, as presently alleged, since either would render the device inoperable according to the Examiner's statement of intended function. Moreover, Applicants reiterate that there is no suggestion that the unmarked element referred to by the Examiner is, in fact, a pocket as required by Claim 36. Finally, as previously indicated, the Examiner has correlated Figures 3 and 44 with Figure 1 in rendering this rejection. However, Figure 1 is a prior art device and is not necessarily utilized with the embodiments of Figures 3 and 44. For these reasons, Applicants respectfully request this ground of rejection be withdrawn.

Claim 37 requires the scanner bed have a clip depending there from for engaging the device biasing spring. Claim 36 is believed to be allowable and, since Claim 37 depends from Claim 36, Claim 37 is also believed to be allowable.

The Examiner has rejected Claim 43 stating that the Hideki reference does not disclose a mechanical method in which the scanner bed is moved from a first position to a second position.

However, the Examiner alleges that Goshima teaches a push button actuated electric solenoid. Applicants have amended Claim 43 to recite that the push button actuated solenoid releases a biasing force to move the scanned bed upon actuation of the electric solenoid. Accordingly, pushing the button of the electric solenoid allows release of the solenoid, and allows the biasing force to move the scanner bed. Likewise, Claim 44 has been amended to require that the push button actuated electromagnetic latch releases a biasing force to move the scanned bed upon actuation of the electromagnetic latch. However, the Goshima reference fails to comprise such. Instead, as best understood by Applicants, Goshima teaches that a motor can turn to move the scanner cover against the extension spring force of springs 613. Thus, when the electric solenoid or electromagnetic latch cited by the Examiner, is released, the biasing force does not move the scanner bed as required by the Claim. Instead, a motor must be actuated in order to move the scanner lid. Thus, the solenoid and electromagnetic latch cited by the Examiner apparently only teach the unlocking of brake devices, inhibiting movement of the scanner lid relative to the base of the copier device.

Claim 45, 46 and 47, as amended, all depend from Claim 28 which is believed to be allowable over the cited art of record, and Applicants respectfully request these grounds of rejection withdrawn.

The Examiner has rejected Claims 24, 25 citing Hideki and Goshima in further view of what the Examiner states what is well known in the art. However, Applicants have amended Claim 11 to require a cartridge changing station within the housing beneath the sliding mechanism. The Examiner asserts that Goshima teaches a cover “that covers the development portion from exposure.” Therefore, it is illogical that the Examiner would recite that such cover

would have a cartridge change station, which would expose portions of the internal printing components to light, if such cover must cover the development portion from exposure (to light), as alleged by the Examiner. Applicants respectfully assert that the Examiner has cited a combination of references, which if modified to meet the Claim limitations, would render the device inoperable. Thus, Applicants respectfully request this ground of rejection be withdrawn.

The Examiner has rejected Claim 18 as being unpatentable in view of Hideki, Goshima and further in view of Johnson *et al.* (US 5791792).

Claim 18 requires the interface device further comprising a button extending through the scanner bed. Applicants are confused by the Examiner's use of Johnson with respect to this rejection. The Examiner alleges that Johnson discloses a button build with purpose of locking an internal component of a typewriter in position so that a process may be performed. However, the Claim recites, "a button extending through the scanner bed" ...to "allow or prevent travel of the scanner bed." Regardless of the function the Examiner utilizes in citing the Johnson reference, Hideki, Johnson, and Goshima all fail to provide a button extending through the scanner bed. Applicants assert that the claim limitations are believed to be allowable over the cited art.

The Examiner has rejected Claims 19-20 and 42 as being unpatentable over the combined teachings of Hideki, Goshima and Johnson in view of what is well known in the art.

Regarding Claims 19 and 20, the Examiner alleges that it is well known to one skilled in the art to place a button for the sake of locking a mechanism in place to be in engaged to a first and second tapered engagement surface. However, the Examiner provides no basis for such statement. More specifically, the Examiner provides no prior art which would indicate that the claimed elements of first and second tapered engagement surfaces at the end of the button



adjacent the base housing are known to one skilled in the art. If such is well known, as alleged by the Examiner, then prior art for such element should be available. However, in the instant circumstances, the Examiner has failed to provide any prior art showing the claimed elements in combination with the slideable scanner bed claimed herein. As a result, Applicants respectfully request this ground of rejection be withdrawn since the claims are believed to be in condition for allowance over the cited art of record. In addition, Claim 11, from which the rejected dependent claims depend, has been amended and is itself believed to be in condition for allowance over the cited art.

With regard to Claim 42, the Claim depends from Claim 28, which has also been amended and is believed to be in condition from allowance. Accordingly, Applicants respectfully request this ground of rejection be withdrawn, or else the Examiner provide the requested prior art in combination with the claimed slideable scanner bed arrangement. The Examiner is reminded that the spring loaded buttons are not claimed alone, but in combination with elements of the slidable scanner bed assembly, the combination of such elements not currently shown to be in the prior art.

Finally, the Examiner has rejected Claim 21 over the combined teachings of Hideki, Goshima, Johnson in further view of Fuller and what is well known in the art. Applicants respectfully traverse this ground of rejection.

First, Applicants assert that the Fuller reference is non-analogous art and respectfully request the Examiner to provide some reasoning as to why one skilled in the art of printing devices would look to a cash register device from the early 1900s for a closing mechanism, as the snap hook of the present claim. Next, Applicants respectfully request the Examiner to provide

some reference to elements referred to in making the present rejection as the text cited (P. 5, left Col., Rows 5-31) recite a plurality of elements, any of which the Examiner would be referring to, due to the non-analogous nature of this rejection. Finally, to the extent that Applicants believe that the Examiner may be referring to elements 78 and 79 in Fuller, Applicants assert that such elements could not be used with the Applicants invention since such elements operate through a radial motion and are not utilized with two planar parts having a sliding motion as taught by the Applicants. Such radial motion would not operate properly with the other cited art. For these reasons, Applicants respectfully request this ground of rejection withdrawn.

For the above reasoning, Applicants respectfully requests these ground of rejections withdrawn and further that the Examiner provide notice of allowance so that this case may issue in due course.

### **CONCLUSION**

Applicants believe that the instant application is currently in condition for allowance and therefore respectfully requests that the Examiner remove the pending rejections. However, if the Examiner believes there are other unresolved issues in this case, Applicants would appreciate a call at 502.625.2746 to discuss such remaining issues.

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